



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA - REGULAR MEETING

Date: April 21, 2004

Time: Closed Session 5:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

***NOTE:** All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.*

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Prospective sale of real property located at 610 South Guild Avenue (±5 acres) owned by the City of Lodi, California (APN 049-250-77); the negotiating parties are the City of Lodi, California, and Arthur Anderson; Government Code §54956.8
- b) Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- c) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- d) Conference with legal counsel – initiation of litigation: Government Code §54956.9(c); two cases
- e) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- f) Actual Litigation: Government Code §54956.9(a); one case; City of Lodi, a California Municipal Corporation, and Lodi Financing Corporation, a California nonprofit corporation v. Lehman Brothers, Inc. and US Bank National Association, United States District Court, Eastern District of California, Case No. CIV. S-04-0606 MCE-KJM

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Jan Foster, representing the Bahá'í Faith

C. Pledge of Allegiance

D. Presentations

D-1 Awards

- a) Presentation of Service Appreciation Award to AmeriCorps Vista representative, Jessie Ryan (LIB)
- b) Presentation of Firefighter of the Year 2003 plaque to Fire Captain Pete Iturraran (FD)
- c) Presentation of California Firefighter Joint Apprenticeship Committee plaques to members of the Lodi Fire Department (FD)

- D-2 Proclamations
 - a) Walk for the Health of It
 - b) Financial Literacy Month
 - c) National Volunteer's Week (PD)
- D-3 Presentations
 - a) Presentation of new Public Benefits Customer Rebate Programs (EUD)

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$4,684,878.30 (FIN)
- E-2 Approve minutes (CLK)
 - a) March 30, 2004 (Shirtsleeve Session)
 - b) April 6, 2004 (Shirtsleeve Session)
 - c) April 6, 2004 (Special Meeting)
 - d) April 12, 2004 (Special Meeting)
 - e) April 13, 2004 (Shirtsleeve Session)
 - f) April 13, 2004 (Special Meeting)
 - g) April 14, 2004 (Special Joint Meeting with Parks and Recreation Commission)
- E-3 Approve plans and specifications and authorize advertisement for bids for one AC HiPot Tester (EUD)
- E-4 Approve plans and specifications and authorize advertisement for bids for installation of streetlights on Phase IV of the Streetlight Completion Project and authorize the transfer of funds for the project (\$980,000) (EUD)
- Res. E-5 Adopt resolution approving plans and specifications and authorizing advertisement for bids for Henning Substation Heavy Load Access and Driveway, 1345 West Kettleman Lane, and authorizing the City Manager to award the contract and appropriate funds (\$22,000) (PW)
- Res. E-6 Adopt resolution approving specifications and authorizing advertisement for bids for various street maintenance activities, fiscal year 2004-05, and authorizing the City Manager to accept or reject bids, award the contracts, and accept improvements (PW)
- Res. E-7 Adopt resolution approving specifications and authorizing advertisement for bids for compressed natural gas street sweeper for the Street Division and authorizing the City Manager to accept or reject bids, award the contract, and appropriate funds (\$200,000) (PW)
- E-8 Approve specifications and authorize advertisement for bids for 40,000 feet of #1/0 15kV underground conductor (EUD)
- E-9 Approve specifications and advertisement for bids for rental of safety clothing for the Electric Utility Department (EUD)
- E-10 Approve request for proposal and authorize advertisement for bids for concession operations at Lodi Lake Park and other locations (determined quarterly) for recreational events (PR)
- E-11 Authorize advertisement for transportation services for the Sandhill Crane Festival and authorize use of buses should no alternate provider be willing to perform the service (PW)
- Res. E-12 Adopt resolution approving traffic safety improvements for Stockton Street from 300 feet south of Almond Drive to Kettleman Lane and appropriate funds (\$8,000) (PW)
- Res. E-13 Adopt resolution appropriating additional funds for Change Orders for White Slough Water Pollution Control Facility Year 2003 Interim Improvements (\$250,000) (PW)
- E-14 Accept improvements under contract for Armory Park Ball Diamond Renovation Project, 333 North Washington Street (PW / PR)
- E-15 Accept Improvements under contract for Lane Line Painting, Various City Streets, 2002 and 2003 (PW)
- E-16 Accept improvements under contract for Alley South of Pine Street Wastewater Main Rehabilitation Project (Church Street to Hutchins Street) (PW)
- Res. E-17 Adopt resolution accepting development improvements at 312 and 316 South Sacramento Street (PW)

- Res. E-18 Adopt resolution approving City participation in the Ham Lane fence construction (Cardinal Street to 1,100 feet south of Cardinal Street) and appropriating funds (\$1,000) (PW)
- Res. E-19 Adopt resolution amending contract for transit operations with MV Transportation, Inc., to reflect its new subsidiary, MV Public Transportation, Inc., and authorizing the City Manager to execute any documents related to the change (PW)
- E-20 Authorize the City Manager to execute an agreement for property tax allocation for the Galantine Annexation at 5952 East Pine Street (CD)
- Res. E-21 Adopt resolution authorizing the City Manager to execute electric utility rate contracts for three commercial/industrial customers—Kubota Tractor Corporation, Larry Methvin Installation, and Lodi Memorial Hospital (EUD)
- Res. E-22 Adopt resolution authorizing the City Manager to extend the consulting services agreement with Borismetrics to provide professional services to the Electric Utility Department (\$60,000) (EUD)
- Res. E-23 Adopt resolution authorizing the City Manager to execute Exhibit C, Revision 7, to United States of America Department of Energy Western Area Power Administration contract 96-SNR-00110 with the City of Lodi for the funding of power operation and maintenance for Central Valley Project Power Facilities (EUD)
- Res. E-24 Adopt resolution approving Memorandum of Understanding between City of Lodi and Lodi Professional Firefighters (HR)
- Res. E-25 Adopt resolution approving Memorandum of Understanding between City of Lodi and Association of Lodi City Employees (General Services) (HR)
- Res. E-26 Adopt resolution authorizing Library administration to apply for two targeted grant opportunities available through the California State Library—a \$6,000 grant entitled, “Global Language Materials” and a “Service for Small Business” grant for approximately \$20,000 (LIB)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Public Hearings

- G-1 Public hearing to consider an appeal received from Key Advertising, Inc., regarding the Planning Commission's decision to deny the request of Key Advertising for a Use Permit to allow a 75-foot-high electronic display sign and a Variance to double the maximum allowable sign area from 480 square feet to 960 square feet to be located at 1251 South Beckman Road (CD)
- G-2 Public hearing to consider redesign concept for C-Basin (Pixley Park) and the exchange of properties with GREM, Inc., to allow the relocation of C-Basin (PW)

H. Communications

- H-1 Claims filed against the City of Lodi
- a) NewFields Companies, LLC, date of loss 12/03 through 3/04
 - b) Environmental Forensic Investigations, Inc., date of loss 7/03 through 2/04
- H-2 Reports: Boards/Commissions/Task Forces/Committees – None
- H-3 Appointments
- a) Appointments to the East Side Improvement Committee (CLK)
 - b) Post for vacancies on the East Side Improvement Committee and expiring terms on the Library Board of Trustees, Lodi Arts Commission, and Planning Commission (CLK)
- H-4 Miscellaneous
- a) Monthly Protocol Account Report (CLK)

I. Regular Calendar

- I-1 Updates from Mayor Larry Hansen regarding the following issues: (CC)
- status of recruitment process for new City Attorney
 - progress on Request for Proposals for special counsel to represent the City of Lodi in its Environmental Abatement Program litigation
 - legal proceedings relative to the Environmental Abatement Program litigation
- I-2 Report regarding community-wide survey results (CM)
- Res. I-3 Adopt resolution approving technical services task order agreement with Treadwell & Rollo, Inc., authorize the City Manager to execute task orders, and appropriate funds (\$100,000) (PW)
- Res. I-4 Adopt resolution approving the job specification and salary range for the position of Fire Administrative Captain and provide authorization to fill the position (HR)
- Res. I-5 Adopt resolution approving the renewal of the renegotiated Fire Emergency Services Dispatch Agreement with the Stockton Fire Department (FD)
- Res. I-6 Adopt resolution approving the Joint Venture Agreement between the City of Lodi, City of Stockton, American Medical Response, and A-1 Ambulance (FD)

J. Ordinances – None

K. Comments by the City Council Members on non-agenda items

L. Comments by the City Manager on non-agenda items

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Susan J. Blackston
City Clerk